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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

KENT H. ROBERTS,

Defendant.

Case No. C 07-04580 MHP

**DEFENDANT KENT ROBERTS'
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF DEFENDANT'S
SUPPLEMENTAL BRIEF IN SUPPORT OF ITS
MOTION TO COMPEL AND EXHIBIT A TO
THE DECLARATION OF SHANNON M.
EAGAN IN SUPPORT THEREOF**

Judge: Hon. Marilyn H. Patel

Pursuant to Civil Local Rule 79-5(b), (c) and (d), Defendant Kent Roberts ("Defendant") hereby submits this Administrative Motion to File Under Seal Portions of Defendant's Supplemental Brief in Support of its Motion to Compel Production of Documents from Third Party Howrey LLP and Exhibit A to the Declaration of Shannon M. Eagan in Support Thereof.

1. In accordance with Civil Local Rule 79-5(b) and the Protective Order entered in the arbitration proceeding of *Kevin Weiss v. McAfee, Inc.*, American Arbitration Association, No. 71 166 00038 07 ("*Weiss* Protective Order"), Defendant requests that the following exhibit attached to the Declaration of Shannon M. Eagan, submitted herewith, be filed under seal:

1 Exhibit A – Excerpts from the Deposition Transcript of Robert E. Gooding, Jr.

2 2. In accordance with Civil Local Rule 79-5(b) and the Stipulation and Protective
3 Order entered into in this case on November 16, 2007 (“*Roberts* Protective Order”), Defendant
4 previously requested in its Amended Administrative Motion to Seal that the following exhibit
5 attached to the Declaration of William S. Freeman in Support of Motion to Compel, be filed
6 under seal: Exhibit E – March 22, 2007 Letter from Howrey to Deloitte & Touche and
7 PricewaterhouseCoopers.

8 3. On February 27, 2006, Mr. Robert Gooding from Howrey LLP filed a Declaration
9 in Support of Defendant’s Amended Administrative Motion to Seal, stating, in part, that Exhibit E
10 to the Declaration of William S. Freeman contains confidential and sensitive information. *See*
11 Declaration of Robert E. Gooding in Support of Defendant’s Amended Administrative Motion to
12 File Under Seal, ¶ 1.

13 4. In accordance with Local Rule 79-5(c) and (d), the *Weiss* Protective Order, and
14 the *Roberts* Protective Order, Defendant requests that certain portions of Defendant’s
15 Supplemental Brief in Support of its Motion to Compel Production of Documents from Third
16 Party Howrey LLP pertaining to the matters described in Paragraphs 1-3 above be filed under
17 seal. A public, redacted version of this document is being lodged with the Court electronically
18 herewith.

19 Dated: February 29, 2008

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23 /s/

24 William S. Freeman (82002)

25 Attorneys for Defendant
26 Kent H. Roberts

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